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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. CR02-047-TSZ  
09 Plaintiff, )  
10 v. ) SUMMARY REPORT OF U.S.  
11 JOHN J. PIRUN, ) MAGISTRATE JUDGE AS TO  
12 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
13

14 A hearing on supervised release revocation in this case was scheduled before me on  
15 December 23, 2008. The United States was represented by AUSA Doug Whalley and the  
16 defendant by Terrence Kellogg. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about November 14, 2003 by the Honorable Thomas  
18 S. Zilly on a charge of Conspiracy to Distribute Cocaine, and sentenced to 43 months custody,  
19 5 years supervised release. (Dkt. 82.)

20 The conditions of supervised release included the standard conditions plus the requirements  
21 that defendant be prohibited from possessing a firearm, submit to mandatory drug testing,  
22 participate in substance abuse treatment and testing, submit to search, provide access to financial

information, not be self-employed or employed by friends, not work for cash, get approval for all employment, and not possess any false identification documents.

In an application dated November 9, 2005 (Dkt. 85 ), U.S. Probation Officer Brian H. Rogers alleged the following violation of the conditions of supervised release:

1. Leaving the judicial district without permission of the Court or probation officer on or about October 31, 2005, in violation of standard condition #1. Defendant was arrested in the North District of California and transferred to this District. (Dkt. 87.)

Defendant was advised in full as to those charges and as to his constitutional rights.

Defendant admitted the alleged violation and waived any evidentiary hearing as to whether it occurred. (Dkt. 92.)

I therefore recommend the Court find defendant violated his supervised release as alleged, and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Zilly.

Pending a final determination by the Court, defendant has been detained.

DATED this 23rd day of December, 2008.

  
Mary Alice Theiler  
United States Magistrate Judge

cc:	District Judge:	Honorable Thomas S. Zilly
	AUSA:	Doug Whalley
	Defendant's attorney:	Terrence Kellogg
	Probation officer:	Brian H. Rogers